

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

DAVID BRIAN NEW,

2:14-cv-01202-MA

Petitioner,

ORDER

v.

MARK NOOTH,

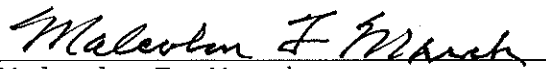
Respondent.

MARSH, Judge

Petitioner's motion to voluntary dismiss (#16) is GRANTED. This proceeding is DISMISSED, without prejudice. Because petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability is DENIED. See 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

DATED this 27 day of October, 2014.


Malcolm F. Marsh
United States District Judge